

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**

**ORDER**

APPLICATION 25186 PERMIT 18225 LICENSE \_\_\_\_\_

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE,  
AND AMENDING THE PERMIT

**WHEREAS:**

1. Permit 25186 was issued to Francis Ford Coppola and Eleanor Neil Coppola on May 1, 1981 pursuant to Application 25186.
2. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
3. The permittee has proceeded with diligence and good cause has been shown for the extension of time.
4. Permit Condition 11 pertaining to the continuing authority of the Board should be updated to conform to Section 780(a), Title 23 of the California Code of Regulations.

**NOW, THEREFORE, IT IS ORDERED THAT:**

1. Condition 7 of the permit be amended to read:

CONSTRUCTION WORK SHALL BE  
COMPLETED ON OR BEFORE

December 31, 1990 (0000008)

2. Condition 8 of the permit be amended to read:

COMPLETE APPLICATION OF THE  
WATER TO THE PROPOSED USE  
SHALL BE MADE ON OR BEFORE

December 31, 1992 (0000009)

3. Condition 11 of this permit be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

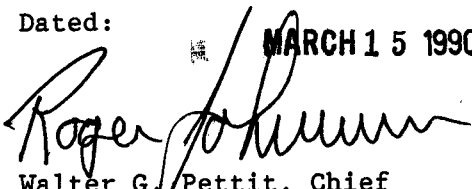
The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the

water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (0000012)

Dated:

MARCH 15 1990

*for*   
Walter G. Pettit, Chief  
Division of Water Rights

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

**ORDER**

APPLICATION 25186

PERMIT 18225

LICENSE \_\_\_\_\_

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE AND AMENDING THE PERMIT

WHEREAS:

1. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
2. The permittee has proceeded with diligence and good cause has been shown for extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. A new development schedule is approved as follows:

CONSTRUCTION WORK SHALL BE  
COMPLETED ON OR BEFORE

December 1, 1987 (0000008)

COMPLETE APPLICATION OF THE  
WATER TO THE PROPOSED USE  
SHALL BE MADE ON OR BEFORE

December 1, 1988 (0000009)

2. Paragraph 11 of this permit is deleted. A new Paragraph 11 is added as follows:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions

so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) to installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation. The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (0000012)

3. Paragraph 19 of this permit is deleted. A new paragraph 19 is added as follows:

Permittee shall install and maintain an outlet pipe of adequate capacity in the dam as near as practicable to the bottom of the natural stream channel or provide other means satisfactory to the State Water Resources Control Board in order that water entering the reservoir which is not authorized for appropriation under this permit may be released. Before starting construction permittee shall submit plans and specifications of the outlet pipe or other alternative to the Chief of the Division of Water Rights for approval. Before storing water in the reservoir permittee shall furnish evidence which substantiates that an outlet or other alternative has been installed in the dam. Evidence shall include photographs showing completed works or certification by a registered Civil or Agricultural Engineer. (0050043)

MAY 13 1985

Dated:



Raymond Walsh, Chief  
Division of Water Rights

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT 18225

Application 25186 of FRANCIS FORD COPPOLA AND ELEANOR NEIL COPPOLA

P. O. BOX 208, RUTHERFORD, CALIFORNIA 94573

filed on OCTOBER 26, 1976, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source:

Tributary to:

BEAR CANYON CREEK

BALE SLOUGH THENCE

NAPA RIVER THENCE

SAN PABLO BAY

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Town- ship	Range	Base and Meridian
NORTH 580 FEET AND EAST 1,620 FEET FROM SW CORNER OF SECTION 17	SE1/4 OF SW1/4	17	7N	5W	MD

County of NAPA

3. Purpose of use:	4. Place of use:	Section	Town- ship	Range	Base and Meridian	Acres
FIRE PROTECTION						
RECREATIONAL	BEAR CANYON RESERVOIR IN SE1/4 OF SW1/4	17	7N	5W	MD	

The place of use is shown on map filed with the State Water Resources Control Board.

(0000005)

~~XXXXXX actual construction work shall begin on XX before XX of XX from the XX permit and shall thereafter be~~  
~~proceeded with reasonable diligence and if not so commenced XX proceed the project shall be delayed~~

(0000008)

(0000010)

with  
(0000011)

(0000012)

(0000013)

(0000040)

(0000042)

(0140060)

16. THE PERMITTEES SHALL AFFORD THE DEPARTMENT OF FISH AND GAME AND ITS ASSIGNEES THE RIGHT TO TRESPASS ACROSS THEIR LANDS ALONG BEAR CANYON CREEK, NAPA COUNTY FOR THE FOLLOWING PURPOSES, AT REASONABLE, MUTUALLY CONVENIENT TIMES WITHOUT IMPAIRING THE PERMITTEES' USE AND ENJOYMENT OF THEIR LANDS:

1. TO PERFORM BIOLOGICAL SURVEYS ALONG BEAR CANYON CREEK TO ASSESS THE STATUS OF AQUATIC RESOURCES AND SUCCESS OF MANAGEMENT PROGRAMS.
2. TO INSTALL, MAINTAIN AND USE UPSTREAM MIGRANT FISH TRAPS IN BEAR CANYON CREEK BELOW THE PERMITTEES' DAM LOCATED IN THE SE1/4 OF THE SW1/4 OF SECTION 17, T7N, R5W, MDB&M.
3. TO TRANSPORT AND PLANT ADULT AND JUVENILE STEELHEAD TROUT IN THE RESERVOIR AND STREAM ABOVE THE PERMITTEES' DAM.

(0000999)

17. THE PERMITTEES SHALL NOT COMMENCE CONSTRUCTION ACTIVITIES OR DIVERT WATER UNDER THIS PERMIT WITHOUT COMPLYING WITH THE REQUIREMENTS OF SECTION 1603 OF THE FISH AND GAME CODE.

(0000063)

18. NO WATER SHALL BE DIVERTED UNDER THIS PERMIT UNTIL PERMITTEES HAVE INSTALLED DEVICES, SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, WHICH ARE CAPABLE OF MEASURING THE FLOWS REQUIRED BY THE CONDITIONS OF THIS PERMIT. SAID MEASURING DEVICES SHALL BE PROPERLY MAINTAINED.

(0060062)

19. PERMITTEE SHALL INSTALL AND MAINTAIN AN OUTLET PIPE OF ADEQUATE CAPACITY IN HIS DAM AS NEAR AS PRACTICABLE TO THE BOTTOM OF THE NATURAL STREAM CHANNEL, OR PROVIDE OTHER MEANS SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, IN ORDER THAT WATER ENTERING THE RESERVOIR WHICH IS NOT AUTHORIZED FOR APPROPRIATION UNDER THIS PERMIT MAY BE RELEASED.

(0050043)

**This permit is issued and permittee takes it subject to the following provisions of the Water Code:**

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: MAY 1 1981

STATE WATER RESOURCES CONTROL BOARD

*Raymond Walsh*

CHIEF, DIVISION OF WATER RIGHTS